



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2826

DATE SCANNED 3/3/15

SCANNER NO. 2

SCAN OPERATOR ΞΞ5



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2014 SEP 12 PM 4:59

September 12, 2014

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *PCO*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser/Sari Pickerall *KDR*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2014 July Quarterly Report for the
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2014 July Quarterly Report in accordance with 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). The 2014 July Quarterly Report was due on July 15, 2014.

The committees listed in the attached RTB Circulation Report either failed to file the report no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due

— **1990** —

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2014 JULY QUARTERLY Not Election Sensitive 07/15/2014 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2815	C00431056	BOB CASEY FOR SENATE INC	CASEY, ROBERT P JR	CHARLES LYONS	\$1,412,155	0		Not Filed	\$282,431 (est)	\$9,800

2825	C00369181	REPUBLICAN PARTY OF BEXAR COUNTY		SCOTT J STRATTON	\$525,080	0	8/6/2014	22	\$21,558	\$220
2826	C00547299	RICHARD BOLGER FOR CONGRESS	BOLGER, RICHARD OWEN	JAMES B VELTRI	\$223,226	0		Not Filed	\$74,409 (est)	\$2,970

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Reason To Believe Recommendation - 2014)

July Quarterly Report for the Administrative)

Fine Program:)

BOB CASEY FOR SENATE INC, and) AF# 2815

CHARLES LYONS as treasurer;)

REPUBLICAN PARTY OF BEXAR) AF# 2825

COUNTY, and STRATTON, SCOTT J as)

treasurer;)

RICHARD BOLGER FOR CONGRESS, AF# 2826
and JAMES B VELTRI as treasurer;

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on September 16, 2014 the Commission took the following actions on the Reason To Believe Recommendation - 2014 July Quarterly Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated September 12, 2014, on the following committees:

AF#2815 Decided by a vote of 6-0 to: (1) find reason to believe that BOB CASEY FOR SENATE INC, and CHARLES LYONS as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission
Certification for Administrative Fines
September 16, 2014

Page 3

11-01-2014

AF#2825 Decided by a vote of 6-0 to: (1) find reason to believe that REPUBLICAN PARTY OF BEXAR COUNTY, and STRATTON, SCOTT J as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2826 Decided by a vote of 6-0 to: (1) find reason to believe that RICHARD BOLGER FOR CONGRESS, and JAMES B VELTRI as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

September 17, 2014
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 17, 2014

James B. Veltri, in official capacity as Treasurer
Richard Bolger for Congress
10347 Democracy Lane
Fairfax, VA 22030

C00547299
AF#: 2826

Dear Mrs. Veltri:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a July Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period April 1, 2014 through June 30, 2014, shall be filed no later than July 15, 2014. 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). 52 U.S.C. § 30109g(a)(4) (formerly 2 U.S.C. § 437g(a)(4)). On September 16, 2014, the FEC found that there is reason to believe ("RTB") that Richard Bolger for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) by failing to file timely this report on or before July 15, 2014. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$2,970. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$2,970 is due within forty (40) days of the finding, or by October 26, 2014, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$74,409
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your

committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or October 26, 2014. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 52 U.S.C. § 30109g (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Richard Bolger for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

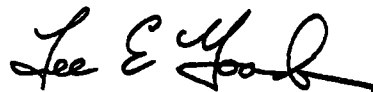
5. Settlement Offers

If you make a payment in an amount less than the calculated civil money penalty as an offer to settle or compromise a debt owed to the Commission, the offer is herewith rejected despite any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109g(a)(2) (formerly 2 U.S.C. § 437g(a)(2)). It will remain confidential in accordance with 52 U.S.C. § 30109g(a)(4)(B) (formerly 2 U.S.C. § 437g(a)(4)(B)) and 30109g(a)(12)(A) (formerly 437g(a)(12)(A)) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Lee E. Goodman
Chairman

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$2,970 for the 2014 July Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by October 26, 2014. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Richard Bolger for Congress

FEC ID#: C00547299

AF#: 2826

PAYMENT DUE DATE: October 26, 2014

PAYMENT AMOUNT DUE: \$2,970

October 1, 2014

Office of Administrative Review
Federal Election Commission
999 E Street, NW
Washington, DC 20463

2014 OCT -7 PM 3: 08

FEC OFFICE OF ADMIN REVIEW

RE: Bolger For Congress, C00547299, AF #2826

Dear Sir or Madam:

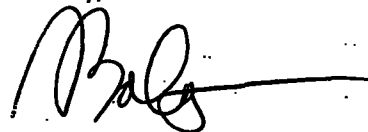
I have received your letter dated September 17, 2014, regarding the second quarterly report for 2014. Please be advised I intend to file my delinquent report any day now. We are hard at work trying to work with the FEC's electronic filing system in order to amend past reports to correct calculation errors, and file the overdue report.

The campaign I ran for Virginia's 10th Congressional District was the first time I have run for elected office. When I ran, I hired a person who was responsible for filing my FEC reports. The reports were timely filed so long as he was here, although they apparently contained some mathematical errors which I still need to correct. Unfortunately, the person abruptly left the campaign when it was clear to him we were shutting it down. I do not have the exact date before me, but it was around April, 2014, around the time a report was due. I had only one other person working on the campaign, and he was a field person, not able to file FEC reports. We managed to file the first quarter report when the person who left the campaign volunteered to help.

Around the same time, the campaign was running out of money and could not continue to afford to pay the vendor we had previously used to file electronically. By the time the second quarterly report was due, we considered filing paper reports only to learn we were required to file electronically. Consequently, we have been trying to master the free software available on the FEC website in order to amend past reports and file new ones. And when I say "we," I am referring to myself and my legal assistant, neither of whom have any experience with the filing software. I am a sole practitioner practicing law in Fairfax, Virginia. My practice is unrelated to politics, more of a general law practice.

We have contacted the Help Desk at the FEC electronic filing system. Hopefully, we will get the assistance we need soon so we can finalize the overdue reports in short order. I am certainly not ignoring my campaign's responsibilities. We are using our best efforts to file, and respectfully request any penalties be suspended until receipt of our report and waived upon review of it.

Sincerely,



Richard O Bolger



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 8, 2014

Richard Bolger
Richard Bolger for Congress
10347 Democracy Lane
Fairfax, VA 22030

Richard Bolger for Congress
C00547299
AF#: 2826

Dear Mr. Bolger,

On October 7, 2014, the Commission's Office of Administrative Review ("OAR") received your written response ("challenge") for Richard Bolger for Congress and James B. Veltri, in his official capacity as Treasurer, which is being reviewed by OAR. If you have any questions regarding your challenge, please contact this Office on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Sincerely,

A handwritten signature in cursive script that reads "Rhiannon Magruder".

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review

Date: October 20, 2014

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW
CHALLENGE RECEIVED**

AF#: 2826

Committee Name: Richard Bolger for Congress

Committee ID#: C00547299

Committee Address (if different than in RTB letter): N/A

Treasurer Name (if different than in RTB finding): Y (Richard Bolger)

Attachments:

- **Copy of RTB Circulation Report, dated September 12, 2014 and RTB Certification, dated September 17, 2014 (Y/N): Y**
- **Proof of Delivery (to be forwarded at later date if not yet received) (Y/N): Y**
-
- **Other Relevant Telecoms (Y/N): N**
- **Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N**
- **RAD Staff Declaration (Y/N): Y**
 - 2014 July Quarterly Report Notice, dated June 20, 2014.**
 - Non-Filer Letter, dated August 4, 2014.**
 - RTB Letter, dated September 17, 2014.**
- **Other RAD Information: (Y/N): Y**
 - Miscellaneous Report to FEC, dated October 14, 2014.**



Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number: 1Z WF5 860 A2 9006 728 9
Reference Number(s): RAD, RTB # 2826
Service: NEXT DAY AIR
Special Instructions: ADULT SIGNATURE REQUIRED
Shipped/Billed On: 09/17/2014
Delivered On: 09/18/2014 9:31 A.M.
Delivered To: 10347 DEMOCRACY LN
 FAIRFAX, VA, US 22030

Signed By: **BRACKEN**

Location: FRONT DESK

Thank you for giving us this opportunity to serve you.

**Sincerely,
UPS**

Tracking results provided by UPS: 09/24/2014 4:26 P.M. ET

DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Richard Bolger for Congress:
 - A) Report Notice, dated June 20, 2014, referencing the 2014 July Quarterly Report (sent via electronic mail to: kevin.wheatley@richardbolger.com);
 - B) Non-Filer Letter, dated August 4, 2014, referencing the 2014 July Quarterly Report (sent via electronic mail to: kevin.wheatley@richardbolger.com and re-mailed to address of record)
 - C) Reason-to-Believe Letter, dated September 17, 2014 referencing the 2014 July Quarterly Report (sent via overnight mail to the address of record).
3. I hereby certify that I have searched the Commission's public records and find that Richard Bolger for Congress filed the 2014 July Quarterly Report with the Commission on October 15, 2014.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 30th day of October, 2014.



Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission

JULY QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

**CONGRESSIONAL COMMITTEES
PARTIES AND PACS**

June 20, 2014

CURRENT REPORT DUE

REPORT	CLOSE OF BOOKS <u>1</u>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
July Quarterly	06/30/14	07/15/14	07/15/14

PRE- AND POST-ELECTION REPORTS

Congressional Committees

The principal campaign committee of any candidate participating in a 2014 state primary, nominating convention or runoff election – even if unopposed – must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The principal campaign committee of a candidate participating in the general election must file pre- and post-general election reports. Separate notices will be sent to explain these additional reporting obligations. See 11 CFR 104.5(a)(2).

Parties and PACs

Committees that make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See 11 CFR 104.5(c)(1)(ii).

- Web Page: [2014 Congressional Pre-Primary Reporting Dates](#)
- The Record:
 - [FEC Record Blog: Reporting](#)
 - [January 2014 Reporting Article \[PDF\]](#)

SUPPLEMENTAL FILING INFORMATION

- [Congressional Committees](#)
- [Parties and PACs](#)

REPORTING SCHEDULE FOR REMAINDER OF 2014

REPORT	CLOSE OF BOOKS <u>1</u>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
October Quarterly	09/30/14	10/15/14	10/15/14
Pre-General <u>2</u>	10/15/14	10/20/14	10/23/14
Post-General	11/24/14	12/04/14	12/04/14
Year-End	12/31/14	01/31/15	01/31/15 <u>3</u>

SUPPLEMENTAL FILING INFORMATION

- Congressional Committees
- Parties and PACs

FOOTNOTES:

1 These dates indicate the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

2 Parties and PACs: required only if committee makes contributions or expenditures in connection with the general election during the reporting period. See 11 CFR 104.5(c)(1)(ii).

Congressional Committees: the principal campaign committee of a candidate who participates in the general election must file pre-and post-general election reports. See 11 CFR 104.5(a)(2).

3 Notice that this filing deadline falls on a weekend. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received before the Commission's (or for committees supporting only Senate candidates, the Secretary of the Senate's Public Records Office) close of business on the last business day before the deadline. See also Supplemental Filing Information [Congressional Committees] [Parties and PACs].

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100

Return to 2014 Reporting Schedule

Other Filing Information:

- Electioneering Communications Periods
- 48- and 24-Hour Reports of Independent Expenditures Periods
- Coordinated Communications Periods
- Federal Election Activity Periods

(top of page)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

August 4, 2014

JAMES B. VELTRI , TREASURER
RICHARD BOLGER FOR CONGRESS
PO BOX 711556
HERNDON, VA 20171

IDENTIFICATION NUMBER: C00547299

REFERENCE: JULY QUARTERLY REPORT (04/01/2014 - 06/30/2014)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended.

It is important that you file this report immediately. The report must be filed with the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463 for House candidates, or the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 (if sent via overnight delivery service) or Senate Office of Public Records, P.O. Box 77578, Washington, DC 20013-7578 (if sent via USPS) for Senate Candidates. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

RICHARD BOLGER FOR CONGRESS

Page 2 of 2

If you have any questions regarding this matter, please contact Marlene Colucci at our toll-free number (800)424-9530. His/Her direct number is (202)694-1394.

Sincerely,

Debbie Chacona

Deborah Chacona
Assistant Staff Director
Reports Analysis Division

250

14330056335



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
2014 NOV -4 PM 1:07

November 4, 2014

MEMORANDUM

To: The Commission

Through: Alec Palmer *SWH for*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: AF# 2826 – Richard Bolger for Congress and Richard Bolger, in his official capacity as Treasurer (C00547299)

SENSITIVE

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Please note the Committee filed an Amended Statement of Organization (FEC Form 1) on October 14, 2014 to disclose Richard Bolger, the Candidate, as the current Treasurer. The Reviewing Officer Recommendation reflects the change in Treasurer after RTB, listing the current respondents as Richard Bolger for Congress and Richard Bolger, in his official capacity as Treasurer.

Attachment



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 2014

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2826 – Richard Bolger for Congress and Richard Bolger, in his official capacity as Treasurer (C00547299)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$550 civil money penalty.

Reason-to-Believe Background

The 2014 July Quarterly Report was due on July 15, 2014. The respondents filed the report on October 15, 2014, 92 days late. The report is not election sensitive and was filed more than 30 days after the due date; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On September 16, 2014, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to timely file the 2014 July Quarterly Report and made a preliminary determination that the civil money penalty was \$2,970 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on September 17, 2014 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee shall file a report for the quarter ending June 30 no later than July 15. 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and 11 C.F.R. § 104.5(a)(1)(i). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Respondents' Challenge

On October 7, 2014, the Commission received the written response ("challenge") from the first-time Candidate, Richard Bolger. Mr. Bolger states that the Committee was "...trying to work with the FEC's electronic filing system in order to amend past reports to correct calculation errors, and file the overdue report."

Mr. Bolger further states that the staff member responsible for filing the Committee's FEC reports had abruptly left the campaign around April 2014. The only other staff member had no experience filing FEC reports. In addition, Mr. Bolger explains:

14-00000-0114

"Around the same time, the campaign was running out of money and could not continue to afford to pay the vendor we had previously used to file electronically. By the time the second quarterly report was due, we considered filing paper reports only to learn we were required to file electronically. Consequently, we have been trying to master the free software available on the FEC website in order to amend past reports and file new ones...

...We have contacted the Help Desk at the FEC...Hopefully, we will get the assistance we need soon so we can finalize the overdue reports in short order. I am certainly not ignoring my campaign's responsibilities. We are using our best efforts to file, and respectfully request any penalties be suspended until receipt of our report and waived upon review of it."

Analysis

According to RAD telecoms (written records of telephone conversations), on June 3, 2014, Mr. Bolger contacted the RAD Analyst to discuss an outstanding Request for Additional Information (RFAI). During the conversation, Mr. Bolger explained that the reports preparer had left the campaign, and the Committee was no longer paying for third-party software services. Mr. Bolger asked if the Committee could now file on paper, and the Analyst explained that the Committee must continue to electronically file according to the mandatory electronic filing requirements. The Analyst explained to Mr. Bolger that he would need the Committee's data from the third-party software provider, or the Committee would be forced to re-enter or re-build the Committee's data file in FECFile. Mr. Bolger indicated he understood the circumstance and would contact the third-party software provider to obtain the data file.

On June 9, 2014, Mr. Bolger called the RAD Analyst and stated the Committee was still working to amend prior reports in response to RFAs. During the conversation, the RAD Analyst advised Mr. Bolger to file an Amended Statement of Organization to provide a current email address.

The Committee was notified on two separate occasions of its failure to timely file the 2014 July Quarterly Report. According to the Manager of the Systems Analysis and Design Branch in the Commission's Information Technology Division, on July 17, 2014, the Electronic Filing Office ("EFO") emailed a notice to "michael.myers@richardbolger.com," the email address previously provided to EFO by the Committee. The notice informed the Committee that it had failed to file the 2014 July Quarterly Report. On August 4, 2014, RAD sent a non-filer letter via email to "kevin.wheatley@richardbolger.com," the email address listed on the Committee's Statement of Organization. Mr. Bolger failed to update the Committee's email address after the June 9 conversation, thus that email address was invalid. RAD subsequently re-mailed the non-filer letter to the Committee's address of record.

On September 8, 2014, Mr. Bolger contacted a RAD Compliance Analyst regarding the non-filer letter. He again explained that he was no longer paying for third-party software services and asked if he could now file on paper. The Analyst explained that the Committee must continue to electronically file according to the mandatory electronic filing requirements and then guided

him to the FEC's website for more information about FECFile. The Analyst also gave Mr. Bolger EFO's contact information and urged him to file the 2014 July Quarterly Report as soon as possible.

That same day, Michelle Bracken contacted EFO for assistance in building a data file from the Committee's previously filed reports. EFO Technical Support explained the process of downloading and importing the data.

On October 2, 2014, Ms. Bracken called EFO Technical Support for assistance with importing data from the Committee's third-party software to FECFile. EFO Technical Support provided guidance and then suggested she speak to a RAD Analyst for questions relating to importing unitemized transactions. On October 3, a RAD Analyst returned Ms. Bracken's call, and Ms. Bracken indicated she had already resolved the issue on her own.

On October 8, 2014, RAD Management contacted Mr. Bolger to inquire about the status of filing the 2014 July Quarterly Report. Mr. Bolger stated Ms. Bracken was still working to complete the report, and he would call back at a later time.

On October 14, 2014, RAD Management again contacted Mr. Bolger to inquire about the status of filing the report. Mr. Bolger indicated Ms. Bracken was having trouble with the electronic filing software, but she was almost prepared to file the report. Ms. Bracken joined the call and explained that she had to manually rebuild the Committee's data file by re-entering data back to the 2013 October Quarterly Report. RAD Management worked with Ms. Bracken throughout the day to fix multiple reporting issues.

On October 14, 2014, Mr. Bolger submitted a statement naming himself as the Treasurer. On October 15, 2014, the Committee electronically filed the 2014 July Quarterly Report, 92 days late.

The RAD Analyst explained to Mr. Bolger that the Committee was required to continue filing electronically on June 3, 2014. Mr. Bolger understood that he would need to retrieve the Committee's data file from the third-party software provider or re-build the file for use in FECFile. However, the Committee did not attempt to contact the FEC for further assistance until September 8, 2014, after receiving the non-filer letter. Had the respondents started actively working to rebuild their file in June, they would have had adequate time to receive assistance from the Commission and file the report by the due date. Negligence, inexperience of the treasurer and other staff, and a committee's failure to use filing software properly are included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents' control. Their challenge fails to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances.

At the time of the RTB finding, the Commission used an estimated level of activity (\$74,409) to calculate the fine because the report had not yet been filed.

11 C.F.R § 111.43(d)(2)(i). The respondents' 2014 July Quarterly Report discloses \$255.00 in total receipts and \$10,311.20 in total disbursements, resulting in an actual level of activity of \$10,566.20. Therefore, using the schedule of penalties at 11 C.F.R § 111.43(a), for respondents with no previous violations, and the level of activity bracket of \$10,000 - \$24,999.99, the civil money penalty is $\$550 \times [1 + (.25 \times 0)]$ or \$550, reduced from the RTB civil money penalty of \$2,970.

The Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$550 civil money penalty.

OAR Recommendations

- 1) Adopt the Reviewing Officer recommendation for AF# 2826 involving Richard Bolger for Congress and Richard Bolger, in his official capacity as Treasurer, in making the final determination;
- 2) Make a final determination in AF# 2826 that Richard Bolger for Congress and Richard Bolger, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and based on the actual level of activity disclosed on the 2014 July Quarterly Report (\$10,566.20), assess a \$550 civil money penalty (reduced from the RTB civil money penalty of \$2,970); and
- 3) Send the appropriate letter.

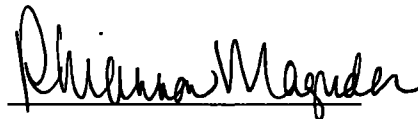
Reviewing Officer: Rhiannon Magruder

Attachments

- Attachment 1 – Challenge Received from Respondents
- Attachment 2 –
- Attachment 3 –
- Attachment 4 – Declaration from OAR

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) The principal campaign committee of a candidate must file a report for the quarter ending June 30 no later than July 15. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on July 15 for the July Quarterly Report to be timely filed.
- 3) It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the administrative fine regulations, including due dates of reports and filing requirements.
- 4) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a) Page 1 of the Statement of Organization filed by Richard Bolger for Congress and Richard Bolger, in his official capacity as Treasurer. According to the Commission's records, the document was received on July 22, 2013 and lists "kevin.wheatley@richardbolger.com" as the Committee's email address;
 - b) Miscellaneous Document filed by Richard Bolger for Congress and Richard Bolger, in his official capacity as Treasurer. According to the Commission's records, the document was received on October 14, 2014 and names Richard Bolger as Treasurer.
 - c) Cover Letter, Report Cover Page, Summary Page, and Detailed Summary Pages for the 2014 July Quarterly Report electronically filed by Richard Bolger for Congress and Richard Bolger, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from April 1 through June 30, 2014 and was received on October 15, 2014.
- 5) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 4th day of November, 2014.



Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

FEC
FORM 1

STATEMENT OF
ORGANIZATION

RECEIVED
2013 JUL 22 AM 9:45
Office Use Only

1. NAME OF
COMMITTEE (in full)



(Check if name
is changed)

Example: If typing, type
over the lines.

12FE4M5 MAIL CENTER

Richard Bolger for Congress

ADDRESS (number and street)

P.O. Box 711556



(Check if address
is changed)

Herndon

CITY ▲

VA

STATE ▲

20171

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS:



(Check if address
is changed)

kevin.wheatley@richardbolger.com

Optional Second E-Mail Address

COMMITTEE'S WEB PAGE ADDRESS (URL)



(Check if address
is changed)

www.richardbolger.com

2. DATE

07

08

2013

3. FEC IDENTIFICATION NUMBER ►

C

4. IS THIS STATEMENT



NEW (N)

OR



AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer James B. Veltri

Signature of Treasurer

Date

07

12

2013

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.
ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office
Use
Only

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100

FEC FORM 1
(Revised 06/2012)

13031093645



October 14, 2014

Electronic Filing Office
Federal Election Commission

VIA FACSIMILE (202) 219-3496

RE: Bolger for Congress
FEC# C00547299
Request for password for electronic filings

To Whom It May Concern:

Jim Veltri is no longer serving as the committee treasurer for the aforementioned committee. I represent that I was the candidate and I have authority to sign FEC reports for the above named committee. Please call me at (703) [REDACTED] for the new password.

Sincerely,


Richard O. Bolger

P.O. Box 711556 • Herndon, VA 20171

703-385-0400 • info@richardbolger.com • www.richardbolger.com

Authorized and Paid for by Bolger for Congress

01

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines. 12FE4M5

Bolger for Congress

ADDRESS (number and street)

10347 Democracy Lane

X

Check if different
than previously
reported. (ACC)

Fairfax

VA

22030

2. FEC IDENTIFICATION NUMBER ▼

C C00547299

CITY ▲

STATE ▲

ZIP CODE ▲

STATE ▼ DISTRICT

3. IS THIS
REPORT

X

NEW
(N)

OR

AMENDED
(A)

10

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

X

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period 04 01 2014 through 06 30 2014

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer RICHARD OWEN BOLGER

Signature of Treasurer

RICHARD OWEN BOLGER

[Electronically Filed]

Date

10

14

2014

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office
Use
Only**FEC FORM 3**
(Revised 02/2003)

SUMMARY PAGE of Receipts and Disbursements

FEC Form 3 (Revised 02/2003)

PAGE 2 / 10

Write or Type Committee Name
Bolger for Congress

Report Covering the Period: From: 04 01 2014 To: 06 30 2014

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	255.00	117229.78
(b) Total Contribution Refunds (from Line 20(d))	0.00	30.74
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a))	255.00	117199.04
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	8811.20	115031.75
(b) Total Offsets to Operating Expenditures (from Line 14)	0.00	0.00
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a))	8811.20	115031.75
8. Cash on Hand at Close of Reporting Period (from Line 27)	667.29	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

DETAILED SUMMARY PAGE of Receipts

FEC Form 3 (Revised 12/2003)

PAGE 3 / 10

Write or Type Committee Name

Bölger for Congress

Report Covering the Period: From: 04 01 2014 To: 06 30 2014

I. RECEIPTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A).....	255.00	116229.78
(ii) Unitemized	0.00	0.00
(iii) TOTAL of contributions from individuals	255.00	116229.78
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	1000.00
(d) The Candidate	0.00	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c), and (d))..	255.00	117229.78
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES	0.00	0.00
13. LOANS:		
(a) Made or Guaranteed by the Candidate.....	0.00	0.00
(b) All Other Loans.....	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b)).....	0.00	0.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)	0.00	0.00
15. OTHER RECEIPTS (Dividends, Interest, etc.)	0.00	0.00
16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4).....	255.00	117229.78

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3 (Revised 02/2003)

PAGE 4 / 10

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	8811.20	115031.75
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of All Other Loans	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	30.74
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	30.74
21. OTHER DISBURSEMENTS	1500.00	1500.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ►	10311.20	116562.49

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	10723.49
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	255.00
25. SUBTOTAL (add Line 23 and Line 24).....	10978.49
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	10311.20
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	667.29



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 5, 2014

Richard Bolger
Richard Bolger for Congress
10347 Democracy Lane
Fairfax, VA 22030

C00547299
AF#: 2826

Dear Mr. Bolger,

On September 16, 2014, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Richard Bolger for Congress and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2014 July Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$2,970 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Rhiannon Magruder".

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2014 NOV 19 PM 1:59

November 19, 2014

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: AF# 2826 – Richard Bolger for Congress and Richard Bolger, in his official capacity as Treasurer (C00547299)

On September 16, 2014, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to file the 2014 July Quarterly Report and made a preliminary determination that the civil money penalty was \$2,970 based on the schedule of penalties at 11 C.F.R. § 111.43.

On October 7, 2014, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated November 4, 2014 was forwarded to the Commission and a copy was forwarded to the respondents. They submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

At the time of the RTB finding, the Commission used an estimated level of activity to calculate the fine because the report had not yet been filed. 11 C.F.R. § 111.43(d)(2)(i). The Reviewing Officer recommended that the Commission make a final determination that they violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$550 civil money penalty based on the level of activity of the 2014 July Quarterly Report.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

OAR Recommendations

- 1) Adopt the Reviewing Officer recommendation for AF# 2826 involving Richard Bolger for Congress and Richard Bolger, in his official capacity as Treasurer, in making the final determination;
- 2) Make a final determination in AF# 2826 that Richard Bolger for Congress and Richard Bolger, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and based on the actual level of activity disclosed on the 2014 July Quarterly Report (\$10,566.20), assess a \$550 civil money penalty (reduced from the RTB civil money penalty of \$2,970); and
- 3) Send the appropriate letter.

Reviewing Officer: Rhiannon Magruder

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 2826
Richard Bolger for Congress and Richard)
Bolger, in his official capacity as)
Treasurer (C00547299))

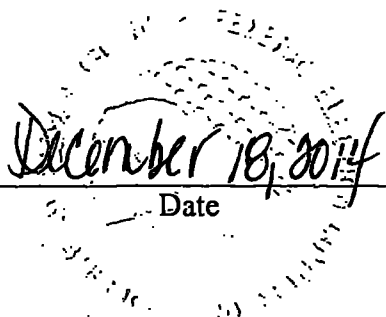
CERTIFICATION


I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on December 18, 2014, the Commission decided by a vote of 6-0 to take the following actions in AF 2826:

1. Adopt the Reviewing Officer recommendation for AF# 2826 involving Richard Bolger for Congress and Richard Bolger, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 2826 that Richard Bolger for Congress and Richard Bolger, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and based on the actual level of activity disclosed on the 2014 July Quarterly Report (\$10,566.20), assess a \$550 civil money penalty (reduced from the RTB civil money penalty of \$2,970).
3. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:


December 18, 2014
Date


Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 23, 2014

Richard Bolger
Richard Bolger for Congress
10347 Democracy Lane
Fairfax, VA 22030

C00547299
AF#: 2826

Dear Mr. Bolger,

On September 16, 2014, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Richard Bolger for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a))¹ for failing to file the 2014 July Quarterly Report. By letter dated September 17, 2014, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$2,970 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On October 7, 2014, the Office of Administrative Review received your written response, challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Richard Bolger for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a civil money penalty in the amount of \$550 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Reviewing Officer Recommendation, a copy of which was sent to you on November 5, 2014.

On December 18, 2014, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Richard Bolger for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assessed a civil money penalty of \$550. It is based on the actual level of activity disclosed on the 2014 July Quarterly Report. A copy of the Final Determination Recommendation is attached.

At this juncture, the following courses of action are available to you:

¹ On September 1, 2014, the Federal Election Campaign Act of 1971, as amended ("the Act"), was transferred from Title 2 of the United States Code to new Title 52 of the United States Code.

If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii) (formerly 2 U.S.C. § 437g(a)(4)(C)(iii)). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

1. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

2. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 4 within 30 days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

3. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

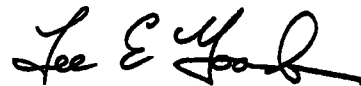
4. **Settlement Offers**

If you make a payment in an amount less than the civil money penalty as an offer to settle or compromise a debt owed to the Commission, the offer is herewith rejected despite any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) (formerly 2 U.S.C. § 437g(a)(12)) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 CFR § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Lee E. Goodman
Chairman

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$550 for the 2014 July Quarterly Report.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC # 979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Richard Bolger for Congress

FEC ID#: C00547299

AF#: 2826

PAYMENT AMOUNT DUE: \$550

FOR: Richard Bolger for Congress

FEC ID#: C00547299

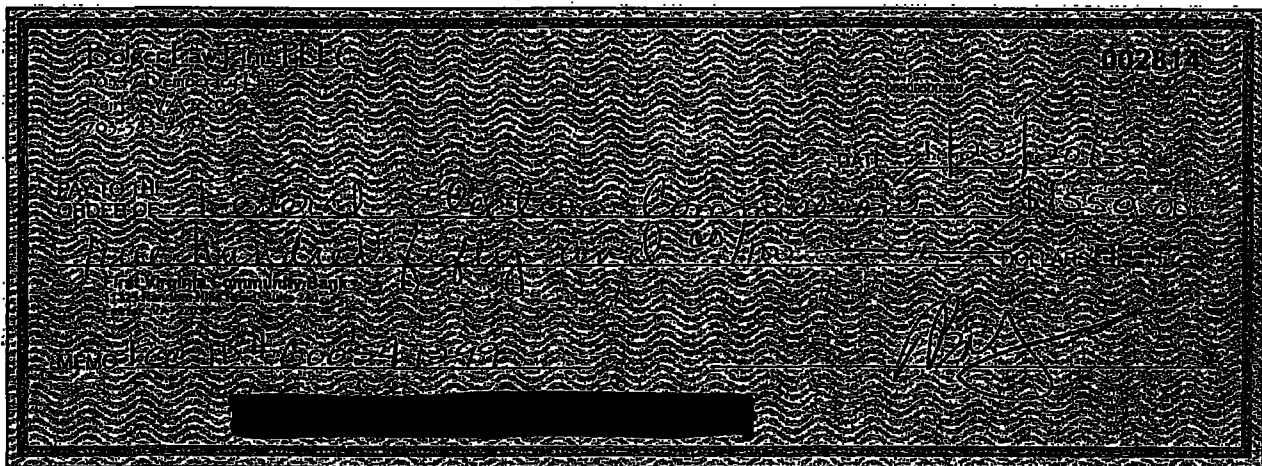
AF#: 2826

PAYMENT AMOUNT DUE: \$550

4

FEDERAL ELECTION COMMISSION

Lockbox: GLX-979058 Ledger Date 01/27/2015



Batch	Item	TID	Batch Total	Amount
1	1	Y-3047405	\$1,995.00	\$550.00



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2826

DATE SCANNED 3/3/15

SCANNER NO. 2

SCAN OPERATOR EEF